

TO: The Honorable Board of Supervisors

FROM: B. Clayton Goodman, III, County Administrator
L. Carol Edmonds, Assistant County Administrator

DATE: January 26, 2009

SUBJECT: AGENDA REPORT

I. CALL TO ORDER

II. INTO CLOSED MEETING

BE IT RESOLVED, The Board of Supervisors hereby enters into Closed Meeting for the purpose of discussing the following:

Section 2.2-3711

- (3) Discussion or Consideration of the Acquisition of Real Property for Public Purpose, or of the Disposition of Publicly Held Real Property, Where Discussion in an Open Meeting Would Adversely Affect the Bargaining Position or Negotiating Strategy of the Public Body

- 1. Montgomery County Government Center

- (1) Discussion, Consideration or Interviews of Prospective Candidates for Employment; Assignment, Appointment, Promotion, Performance, Demotion, Salaries, Disciplining or Resignation of Specific Officers, Appointees or Employees of Any Public Body

- 1. Personnel

III. OUT OF CLOSED MEETING

BE IT RESOLVED, The Board of Supervisors ends their Closed Meeting to return to Regular Session.

IV. CERTIFICATION OF CLOSED MEETING

WHEREAS, The Board of Supervisors of Montgomery County has convened a Closed Meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3711 of the Code of Virginia requires a certification by the Board that such Closed Meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia hereby certifies that to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion conveying the closed meeting were heard, discussed or considered by the Board.

VOTE

AYES

NAYS

ABSENT DURING VOTE

ABSENT DURING MEETING

V. INVOCATION

VI. PLEDGE OF ALLEGIANCE

VII. DELEGATIONS

A. Comprehensive Annual Financial Report for Fiscal Year Ended June 30, 2008

John Aldridge, Brown, Edwards & Company, L.L.P. will present Montgomery County's Comprehensive Annual Financial Report for Fiscal Year ended June 30, 2008.

B. Other Post Employment Benefits

David Boomershine from Boomershine Consulting Group, LLC, will present an analysis of the County's post employment benefit liability as required by auditing standards. (See TAB A)

VIII. PUBLIC HEARINGS

A. SUBJECT: BOARD OF SUPERVISORS

The following public hearings were advertised pursuant to law in the Current Section of the Roanoke Times on December 31, 2008 and January 7, 2009:

1. Special Use Permit – Richard A. Rose
A request by Richard A. Rose for a Special Use Permit (SUP) on approximately 0.234 acres in a Residential (R-3) zoning district to allow a Manufactured Home, Class A (doublewide). The property is located at 3824 Truman Ave., and is identified as Tax Parcel No(s). 090-1BK-B-12E (Acct No. 100531), in the Riner Magisterial District (District D). The property currently lies in an area designated as High Density Residential in Plum Creek Village in the Comprehensive Plan. See TAB B.
2. A request to adopt a new Future Land Use Map
A request to adopt a new Future Land Use Map as part of the Montgomery County 2025 Comprehensive Plan for the Villages of Elliston and Lafayette (approved 6/25/07), Prices Fork (approved 11/16/05) and Riner (approved 6/25/07). See TAB C.
3. An ordinance amending Chapter 10 entitled Zoning, Section 10-28 & 10-29
An ordinance amending Chapter 10 entitled Zoning, Section 10-28, General Business (GB), and Section 10-29, Community Business (CB) of the Code of the County of Montgomery, Virginia by adding Boarding House, Contractor's Service Establishment and Transition House as uses permitted with a special use permit in the General Business and Community Business Districts. See TAB D.
4. An ordinance amending Chapter 10 entitled Zoning, Section 10-27
An ordinance amending Chapter 10 entitled Zoning, Section 10-27, Multiple Family Residential (RM-1) of the Code of the County of Montgomery, VA by removing Group Home as a use permitted with a special use permit in the Multiple Family Residential District (RM-1). See TAB E.

5. An ordinance amending Chapter 10 entitled Zoning, Section 10-35
An ordinance amending Chapter 10 entitled Zoning, Section 10-35 Planned Unit Development-Residential (PUD-RES) of the Code of the County of Montgomery, VA by removing Group Home as a use permitted by right in the Planned Unit Development Residential District (PUD-RES). See TAB F.
6. An ordinance amending Chapter 10 entitled Zoning, Section 10-61
An ordinance amending Chapter 10 entitled Zoning, Section 10-61, Definitions, of the code of the County of Montgomery, VA by amending the definition of Family by adding references to Group Home and Boarding House definitions and by amending the definition of Group Home by adding a reference to the definition of Family. See TAB G.

IX. PUBLIC ADDRESS

X. ADDENDUM

XI. CONSENT AGENDA

XII. OLD BUSINESS

**A. SUBJECT: GYPSY MOTH SUPPRESSION
PROGRAM – AUTHORIZATION TO SIGN
AGREEMENT**

**R-FY-09-
GYPSY MOTH SUPPRESSION PROGRAM
AUTHORIZATION TO SIGN AGREEMENT**

WHEREAS, In June 2007 Montgomery County was notified by the Department of Agriculture and Consumer Services (VDACS) that VDACS had expanded the Virginia Gypsy Moth Quarantine to include Montgomery County; and

WHEREAS, VDACS cooperates with quarantined localities to suppress gypsy moth populations through the USDA-Forest Service grant funding to aerielly treat areas that will be impacted by the gypsy moth; and

WHEREAS, To qualify for participation in the 2009 Virginia Cooperative Gypsy Moth Suppression Program Montgomery County has conducted the required surveys, public meetings, landowner notifications; and

WHEREAS, A public hearing was conducted on January 12, 2009 on the current Gypsy Moth situation in the County, the proposal submitted to the VDACS for 2009 suppression actions, and to identify public concerns; and

WHEREAS, At their meeting of January 12, 2009, the Board of Supervisors approved the use of BTK on two proposed treatment blocks on Brush Mountain and two blocks on Poor Mountain and offer requesting landowners the option of a 150' buffer zone between their property lines and the portions of the treatment blocks to be sprayed; and

WHEREAS, Approval of this agreement commits Montgomery County to participate in the 2009 Cooperative Gypsy Moth Suppression program and that federal funding may not be available for the program.

NOW, THEREFORE, BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby authorizes the County Administrator to execute an Agreement Between the Virginia Department of Agriculture & Consumer Services (VDACS) and the County of Montgomery, Virginia for the 2009 Cooperative Gypsy Moth Suppression Program.

ISSUE/PURPOSE: Authorize the County Administrator to sign the Agreement between the Virginia Department of Agriculture & Consumer Services (VDACS) and the County for the 2009 Cooperative Gypsy Moth Suppression Program.

JUSTIFICATION: The Board of Supervisors has until February 6, 2009 to sign and return the Cooperative Agreement for the May 2009 spray program. See TAB I for a copy of the proposed Gypsy Moth Cooperative Agreement and a background report summarizing the 2009 Gypsy Moth program.

Also included in TAB I is an expenditure report, prepared by our Gypsy Moth Coordinator, showing the total cost of the program in FY 07-08 and an estimated cost of the program for FY 08-09, as requested by Supervisor Doug Marrs.

XIII. COUNTY ATTORNEY'S REPORT

XIV. COUNTY ADMINISTRATOR'S REPORT

XV. BOARD MEMBERS' REPORT

1. Supervisor Politis
2. Supervisor Muffo
3. Supervisor Creed
4. Supervisor Brown
5. Supervisor Marrs
6. Supervisor Biggs
7. Supervisor Perkins

XVI. OTHER BUSINESS

XVII. ADJOURNMENT

FUTURE MEETINGS

Regular Meeting
Monday, February 9, 2009
6:00 p.m. – Closed Meeting Items
7:15 p.m. Regular Agenda

Adjourned Meeting
Monday, February 23, 2009
6:00 p.m. – Closed Meeting Items
7:15 p.m. Regular Agenda

Regular Meeting
Monday, March 9, 2009
6:00 p.m. – Closed Meeting Items
7:15 p.m. Regular Agenda